



1743  
PATENT  
Atty. Docket No. MSE-2620

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gary E. Rehm

Serial No.: 10/056,623

Group Art Unit: 1743

Filed: January 28, 2002


Examiner: Not yet assigned

For: METHOD AND APPARATUS FOR USING INFRARED READINGS  
TO DETECT MISIDENTIFICATION OF A DIAGNOSTIC TEST  
STRIP IN A REFLECTANCE SPECTROMETER

\*\*\*\*\*

CERTIFICATION UNDER 37 CFR 1.8(a)

I hereby certify that, on the date shown below, this correspondence, and any attachments referred to herein, are being deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 under 37 CFR 1.8(a) with sufficient postage as first class mail.

  
Gayle Gestick

10/22/03  
Date

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**AND CERTIFICATION UNDER 37 CFR 1.97(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR §1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

The citations listed on the attached Supplemental Information Disclosure Statement (Supplemental Form PTO-1449) and listed herewith may be material to the examination of the above-identified patent application. Therefore, Applicants submit these documents in compliance with the duty of disclosure as defined in 37 CFR §1.56, §1.97, and §1.98. The Examiner is requested to make these citations of official record in the present application, as follows: U.S. Patent Nos. 5,605,837 and 5,889,585.

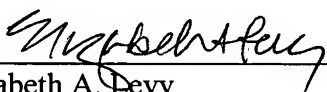
A copy of the European Search Report dated August 28, 2003 from a counterpart application is enclosed. Legible copies of all items listed in Supplemental Form PTO-1449 accompany this information disclosure statement. Cumulative patents or publications identified in the attached European Search Report are not enclosed.

I hereby certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 CFR 1.97 (e) (1).

The person making this statement is the attorney who signs below on the basis of the information in the attorney's file.

Respectfully submitted,

By:

  
Elizabeth A. Devy  
Attorney for Applicants  
Reg. No.34,375

Date: Oct 21, 2003

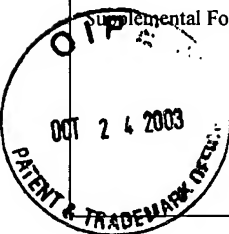
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Supplemental Form PTO-1449

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Application No.	10/056,623
Filing Date	1/28/02
Inventor	Gary E. Rehm
Group Art Unit	1743
Examiner Name	Not yet assigned
Attorney Docket No.	MSE-2620



### U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Public. Date	Name of Patentee	Relevant Pages
		5,605,837	2/25/97	Karimi et al.	Whole document
		5,889,585	3/30/99	Markart	Whole document

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code	Public. Date	Name of Patentee	Relevant Pages	Translation Yes/No

### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Name of author (CAPITAL LETTERS), title of article (when appropriate), title of item (book, magazine, journal, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

Examiner Signature	Date Considered
Examiner: Initial if citation is considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	